

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

0738106 B.C. LTD; 0738116 B.C.
LTD; 0738126 B.C. LTD.; 360
NORTHWEST TELLECOM, LLC;
D&D ASSOCIATES LLC; LLS
AMERICA, LLC (a Nevada limited
liability company); LLS AMERICA,
LLC (a Utah limited liability
company); LLS CANADA, LLC (a
Nevada limited liability company); LLS
CANADA, LLC (a Utah limited
liability company); and TEAM SPIRIT
AMERICA, LLC,

Defendants.

NO. CR-11-159-RHW-2
CR-11-159-RHW-3
CR-11-159-RHW-4
CR-11-159-RHW-5
CR-11-159-RHW-6
CR-11-159-RHW-7
CR-11-159-RHW-8
CR-11-159-RHW-9
CR-11-159-RHW-10
CR-11-159-RHW-11

**ORDER GRANTING MOTION
TO DISMISS INDICTMENT**

Before the Court is the Government's Motion to Dismiss Indictment, ECF No. 143). The motion was heard without oral argument and on an expedited basis.

The Government moves to dismiss the Indictment against the Corporate Defendants. Pursuant to Fed. R. Crim. P. 48, the Government may by leave of Court file a dismissal of an indictment. "If the district court finds that the prosecutor is acting in good faith in making its Rule 48(a) motion, it should grant the motion; conversely, Rule 48(a) empowers the district court to exercise its discretion in denying the motion when it specifically determines that the government is operating in bad faith." *United States v. Hayden*, 860 F.2d 1483,

1 1487 (9th Cir. 1988). The Court finds no evidence of bad faith in the
2 Government's motion.

3 Accordingly, **IT IS HEREBY ORDERED:**

4 1. The Government's Motion to Dismiss Indictment, ECF No. 143, is
5 **GRANTED.**

6 2. The Indictment alleged against the Corporate Defendants is
7 **dismissed** without prejudice.

8 **IT IS SO ORDERED.** The District Court Executive is directed to enter
9 this order and provide copies to counsel.

10 **DATED** this 23rd day of December, 2013.

11
12 *s/Robert H. Whaley*
13 **ROBERT H. WHALEY**
United States District Judge

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